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## REMARKS:

The Examiner has objected to applicant's claim 10 in that the term "10" should be replaced with "9". Claim 10 has now been canceled and the objection should now be withdrawn.

Claims 1-6, 8-12 and 14 have been rejected under 35 U.S.C. §102(b) as being clearly anticipated by Morellini(WO). Claims 1, 2, 4-6, 8-12 and 14 have been rejected under 35 U.S.C. §102(b) as being anticipated by Ferraro. Claims 1, 2, 4, 5, 8-12 and 14 have been rejected under 35 U.S.C. §102(b) as being anticipated by Baker. Claims 9-12 and 14 have been rejected under 35 U.S.C. §102(b) as being anticipated by Washburn. Claims 1-6, 8-12 and 14 have been rejected under 35 U.S.C. §102(b) as being anticipated by Hirose et al. Claims 1, 4-6, 9-12 and 14 have been rejected under 35 U.S.C. §102(b) as being anticipated by Graves(GB).

Claims 7 and 13 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Morellini(WO). Claims 2, 3 and 13 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Ferraro. Claims 5-7, 11 and 14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Ferraro and further in view of Willis. Claims 2, 3 and 13 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Baker. Claims 6 and 7 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Baker in view of Willis. Claims 2, 3 and 14

have been rejected under 35 U.S.C. §103(a) as being unpatentable over Graves(GB). Claims 4-7, 11 and 14 have been rejected under 35 U.S.C. §103(a) as being unpatentable over Graves(GB) in view of Calvez(FR).

In view of the prior art located and the Examiner's determinations, applicant has now modified claims 1, 4, 6, 9, 11 and 14; canceled claims 2 and 10 and added new claims 15-21. No excess claims are presented and therefore no additional fees have been submitted.

Applicant has carefully reviewed the prior art cited by the Examiner and has modified the claims in an effort to define his invention over the devices found in the prior art. Specifically, applicant has now included in independent claim 1 a "flexible planar" shroud which is positioned to cover the pest channel and to receive ground cover to camouflage the bait station. This structural element (or the equivalent) is not shown in the prior art. Thus, applicant believes that independent claim 1 and dependent claims 3, 4, 5, 6, 7 and 8 are now patentably distinct.

Independent claim 9 has now been narrowed to include the anchor which is slidably engageable with an anchor guide which is attached to the bait tube so the anchor can pass through the anchor guide and secure the bait station to the ground. The prior art references do not teach an anchor which is slidable through an anchor guide which is affixed to a vertical bait

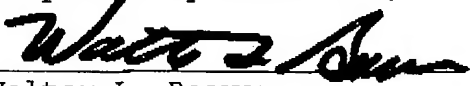
tube. Accordingly, applicant believes that independent claim 9 along with dependent claims 11, 12, 13 and 14 are now patentably distinct. Dependent claims 15, 16, 17 and 18 also are dependent on either claim 1 or 9 and accordingly such claims should also now be allowable.

New method claims 19, 20 and 21 are also presented which are fully supported in the specification. Thus, no new matter has been added. Applicant believes the method claims as presented are also patentably distinct over the prior art of record and should be in condition for allowance.

In view of the modifications, cancellations and additions to applicant's claims, applicant believes that all claims as now presented are patentably distinct over the prior art references of Morellini, Ferraro, Baker, Washburn, Hirose, Graves, Willis and Calvez whether such art is considered severally under §102 or in combination under §103. Accordingly, claim allowance is earnestly solicited at the Examiner's earliest convenience.

Respectfully submitted,

By:

  
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I hereby certify that this correspondence is being facsimile transmitted to the Director of the United States Patent and Trademark Office, Mail Stop Amendment, Group Art Unit 3643, Attention: Examiner Darren W. Ark (12 pages including cover letter) to Fax No. (703)872-9306 on this 06<sup>th</sup> day of July, 2004.



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